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Bar #: 185736
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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**ROBERT MCCARTHY, An Individual,
Plaintiff,**

V.

**RAF, INC., d.b.a. DOWNTOWN AUTO
CENTER a.k.a. DOWNTOWN TOYOTA
SUBARU SAAB; RALPH A. FATTORE
d.b.a. DOWNTOWN AUTO CENTER a.k.a.
DOWNTOWN TOYOTA SUBARU SAAB;
RAF, INC.; RALPH A. FATTORE;
PATTERSON RANCH, INC.; And DOES 1
THROUGH 10, Inclusive
Defendants.**

Case No.: C06-1265 MJJ

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE OF ALL
DEFENDANTS AND PLAINTIFFS'
COMPLAINT IN ITS ENTIRETY AND
ORDER THEREON
GRANTED**

[Fed.R.Civ.P. Rule 41(a)(1)]

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2 **IT IS HEREBY REQUESTED** by **ROBERT MCCARTHY**, Plaintiff, via his
3 attorneys of record that, pursuant to Federal Rules of Civil Procedure, Rule 41 (a)(1), this Court
4 enter a dismissal without prejudice of all Defendants from Plaintiff's Complaint, Case No C06-
5 1265 MJJ. Additionally, Plaintiff requests that the complaint be dismissed without prejudice in
6 its entirety.

7 **IT IS SO REQUESTED.**

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10 Dated: 12/27/06

By: 

PINNOCK & WAKEFIELD, APC

DAVID C. WAKEFIELD, ESQ.

Attorneys for PLAINTIFF

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13 **ORDER ON NOTICE OF DISMISSAL WITHOUT PREJUDICE OF ALL**
14 **DEFENDANTS**

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16 **PURSUANT TO THE ABOVE REQUEST, IT IS HEREBY ORDERED** that all
17 Defendants are dismissed without prejudice from Plaintiffs' Complaint, Case No C06-1265 MJJ.
18 Additionally, Plaintiff's complaint is dismissed with prejudice in its entirety.

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20 **IT IS SO ORDERED.**

21 Dated: 10/31/2006


HONORABLE MARTIN J. JENKINS
U.S. DISTRICT COURT JUDGE